



DECLARATION

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS," which is described and claimed in the specification and claims of Patent Application No. 09/801,968, which we filed in the United States Patent and Trademark Office on March 7, 2001 and for which a patent is sought. This application claims the benefit of Provisional Application No. 60/187,854 filed March 8, 2000, Provisional Application No. 60/233,368 filed September 18, 2000 and Provisional Application No. 60/251,650 dated December 5, 2000.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Nobuyuki Otoh
Nobuyuki Otoh

Date June 21, 2001

Residence : City of Kyoto
Country of Japan

Citizenship : Japan

P.O. Address : c/o Yoshida-Shimoadachi,
Sakyo, Kyoto, Japan 606-8501

W. Michael Kavanaugh

Date _____

Residence : City of Oakland, County of Marin
State of California

Citizenship : United States of America

P.O. Address : c/o Chiron Corporation
P.O. Box 8097
Emeryville, CA 94662-8097

(JEP:cew) #183600



DECLARATION

Express Mail No. EL615485148US

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS," which is described and claimed in the specification and claims of Patent Application No. 09/801,968, which we filed in the United States Patent and Trademark Office on March 7, 2001 and for which a patent is sought. This application claims the benefit of Provisional Application No. 60/187,854 filed March 8, 2000, Provisional Application No. 60/233,368 filed September 18, 2000 and Provisional Application No. 60/251,650 dated December 5, 2000.

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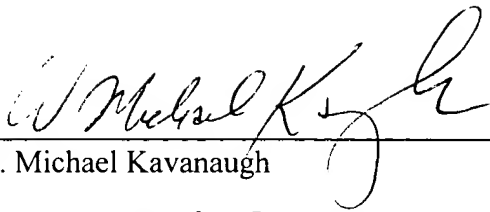
Nobuyuki Itoh

Date _____

Residence : City of Kyoto
Country of Japan

Citizenship : Japan

P.O. Address : c/o Yoshida-Shimoadachi,
Sakyo, Kyoto, Japan 606-8501



W. Michael Kavanaugh

Date JUNE 12, 2001

Residence : City of Oakland, County of Marin
State of California

~~Citizenship : United States of America~~

P.O. Address : c/o Chiron Corporation
P.O. Box 8097
Emeryville, CA 94662-8097

(JEP:cew) #183600



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobuyuki Itoh et al.
Application No. : 09/802,154
Filed : March 7, 2001
For : HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS
Docket No. : PP-17150.001 / 201130.40901

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

Assignee hereby appoints George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Thomas E. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; Charles J. Rupnick, Reg. No. 43,068; Timothy L. Boller, Reg. No. 47,435; and James M. Verna, Reg. No. 33,287; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Jane E. R. Potter, Esq.
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Kyoto University filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

ASSIGNEE

KYOTO UNIVERSITY

June 21, 2001

DATE

Terumichi Nakagawa

Signature

Print Name Terumichi Nakagawa

Print Title Dean

Enclosure:

Copy of Assignment

(JEP:cew) #183603



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Nobuyuki Itoh et al.
Application No. : 09/801,968
Filed : March 7, 2001
For : HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS

Docket No. : PP-17150.001 / 201130.40901

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventor.

Assignee hereby appoints George C. Rondeau, Jr., Reg. No. 28,893; David H. Deits, Reg. No. 28,066; William O. Ferron, Jr., Reg. No. 30,633; Richard G. Sharkey, Reg. No. 32,629; David V. Carlson, Reg. No. 31,153; Karl R. Hermanns, Reg. No. 33,507; Michael J. Donohue, Reg. No. 35,859; Jane E. R. Potter, Reg. No. 33,332; Robert Iannucci, Reg. No. 33,514; Lorraine Linford, Reg. No. 35,939; David W. Parker, Reg. No. 37,414; E. Russell Tarleton, Reg. No. 31,800; Ellen M. Bierman, Reg. No. 38,079; Brian G. Bodine, Reg. No. 40,520; Robert M. Ward, Reg. No. 26,517; Frank Abramonte, Reg. No. 38,066; Kevin S. Costanza, Reg. No. 37,801; Thomas E. Loop, Reg. No. 42,810; Stephen J. Rosenman, Reg. No. 43,058; Brian L. Johnson, Reg. No. 40,033; Susan D. Betcher, Reg. No. 43,498; William T. Christiansen, Reg. No. 44,614; Eric J. Gash, Reg. No. 46,274; Jeffrey C. Pepe, Reg. No. 46,985; Charles J. Rupnick, Reg. No. 43,068; Timothy L. Boller, Reg. No. 47,435; and James M. Verna, Reg. No. 33,287; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300, Seattle, Washington 98104-7092, and Lisa E. Alexander, Reg. No. 41,576; Robert P. Blackburn, Reg. No. 30,447; Anne S. Dollard, Reg. No. 43,935; Joseph H. Guth, Reg.

No. 31,261; Alisa A. Harbin, Reg. No. 33,895; Charlene A. Launer, Reg. No. 33,035; David P. Lentini, Reg. No. 33,944; and Kimberlin L. Morley, Reg. No. 35,391 of Chiron Corporation as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Jane E. R. Potter, Esq.
Seed Intellectual Property Law Group PLLC
701 Fifth Avenue, Suite 6300
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to Kyoto University filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

ASSIGNEE

CHIRON CORPORATION

6/12/01
DATE

Lisa Alexander
Lisa E. Alexander
Assistant Secretary
Chiron Corporation

Enclosure:

Copy of Assignment

(JEP:cew) #183602



ASSIGNMENT

WHEREAS, I, Nobuyuki Itoh (hereinafter referred to as ASSIGNOR), having a post office address of c/o Yoshida-Shimoadachi, Sakyo, Kyoto, Japan 606-8501, am the first-named inventor of an invention entitled "HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS," as described and claimed in the specification for which an application for United States letters patent was filed on March 7, 2001, and assigned Application No. 09/801,968. This application claims the benefit of Provisional Application No. 60/187,854 filed March 8, 2000, Provisional Application No. 60/233,368 filed September 18, 2000, and Provisional Application No. 251,650 filed December 5, 2000.

WHEREAS, Kyoto University (hereinafter referred to as ASSIGNEE), a corporation of the Country of Japan having a place of business at Yoshida-Shimoadachi, Sakyo, Kyoto 606-8501, Japan, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

June 21, 2001
Date

Nobuyuki Itoh
Nobuyuki Itoh

State of _____)

County of _____)

ss.

I certify that I know or have satisfactory evidence that Nobuyuki Itoh is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.

Dated _____

Signature of
Notary Public _____

Printed Name _____

My appointment expires _____

(JEP:cew) # 183599

ASSIGNMENT

WHEREAS, I, W. Michael Kavanaugh (hereinafter referred to as ASSIGNOR), having a post office address of c/o Chiron Corporation, P.O. Box 8097, Emeryville, CA 94662-8097, am the second named inventor of an invention entitled "HUMAN FGF-23 GENE AND GENE EXPRESSION PRODUCTS," as described and claimed in the specification for which an application for United States letters patent was filed on March 7, 2001, and assigned Application No. 09/801,968. This application claims the benefit of Provisional Application No. 60/187,854 filed March 8, 2000, Provisional Application No. 60/233,368 filed September 18, 2000, and Provisional Application No. 60/251,650 filed December 5, 2000.

WHEREAS, Chiron Corporation (hereinafter referred to as ASSIGNEE), a corporation of Delaware, having a place of business at 4560 Horton Street, Emeryville, California 94608-2916 is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNOR hereby sells, assigns and transfers unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns for their use and benefit and of their successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNOR had this assignment, transfer and sale not been made. ASSIGNOR hereby authorizes and requests the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNOR agrees to execute all instruments and documents required for the making and prosecution of applications for United States and foreign letters patent on said invention, for litigation regarding said letters patent, or for the purpose of protecting title to said invention or letters patent therefor.



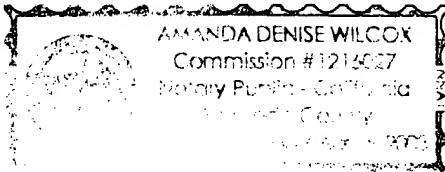
JUNE 12, 2001
Date

W. Michael Kavanaugh
W. Michael Kavanaugh

State of California
County of Alameda

SS.

I certify that I know or have satisfactory evidence that W. Michael Kavanaugh is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated June 12, 2001
Signature of Amanda Denise Wilcox
Notary Public
Printed Name Amanda Denise Wilcox
My appointment expires April 16, 2003

(JEP:cew) # 183596